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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,005	11/21/2001	Travis J. Parry	10008080-1	2440

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
DIVECHA, KAMAL B	

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/990,005	PARRY, TRAVIS J.	
	Examiner	Art Unit	
	KAMAL B. DIVECHA	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *20011121*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-22 are presented for examination.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 11/21/2001 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

The incorporation of essential material in the specification by reference to an unpublished U.S. application, foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference, if the material is relied upon to overcome any objection, rejection, or other requirement imposed by the Office. The amendment must be accompanied by a statement executed by the applicant, or a practitioner representing the applicant, stating that the material being inserted is the material previously incorporated by reference and that the amendment contains no new matter. 37 CFR 1.57(f).

The attempt to incorporate subject matter into this application by reference to U. S. Patent No. 5,956,487 and U. S. Patent No. 6,170,007 issued to Venkatranam et al is improper. All the related or incorporated references must be disclosed in the first page of the disclosure.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 11-13, 15-16, 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1).

As per claim 11, Schlonski discloses a method of configuring a plurality of imaging devices coupled to a network, the method comprising: communicating a configuration change to an embedded webserver of a first imaging device (pg. 3 block #32, pg. 4 block #38 and fig. 3 item #310); and communicating the configuration change from the first imaging device to at least one other imaging device from a list of other imaging devices stored on the first imaging device (pg. 1 block #9, pg. 3 block #27 and fig. 3-4).

As per claim 12, Schlonski discloses the process of generating the list of other imaging devices and storing the list of other imaging devices in the first imaging device (pg. 3 block #27, pg. 2 block #15, fig. 2 item #106 and fig. 4).

As per claim 13, Schlonski discloses the process of generating the list of other imaging devices similar to the first imaging devices (pg. 1 block #9, pg. 3 block #27-29, 34 and fig. 4).

As per claim 15, Schlonski discloses a method of operating a plurality of imaging devices, the method comprising: communicating a configuration change to an embedded webserver of a first imaging device; processing the configuration change on the first imaging device, thereby generating a configuration on the first imaging device (pg. 3 block #32, pg. 4 block #38 and fig. 3 item #310); and configuring one or more other devices in response to the configuration change of the first imaging device, wherein the one or more other imaging devices are selected from a list stored on the first imaging device (pg. 4 block #40 and fig. 3-5).

As per claim 16, Schlonski discloses the process of configuring the one or more other imaging devices further by communicating the configuration of the first imaging device to the one or more other imaging devices (fig. 3-4).

As per claim 19, Schlonski discloses the process of communicating a configuration from an originating network device that is selected from group consisting of local network site, and a remote network site (fig. 4 and fig. 1).

As per claim 20, Schlonski discloses the process of communicating configuration from a network site that is another imaging device (fig. 3, fig. 4 and fig. 1).

As per claim 21, Schlonski discloses a computer-usable medium having computer readable instructions stored thereon for execution by a processor to perform a method comprising: processing a configuration change on a first imaging device (fig. 3 item #310); refereeing to a list of other imaging devices stored in the first imaging device (fig. 4); and configuring at least one imaging device from the list in response to the configuration change of the first imaging device (fig. 5 and pg. 4 block #40 and fig. 3).

As per claim 22, Schlonski discloses the process of configuring at least one imaging device from a list using a configuration of the first imaging device (fig. 4: displays a list of printers to select the printer to be used as a template in configuring other printers, fig. 5: displays the printers to be selected in order to be cloned or configured by using template of other printer).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Carcerano et al. (U. S. Patent No. 6,308,205 B1).

As per claim 1, Schlonski discloses an imaging device, comprising: a processor adapted for communication with a network using an embedded webserver (pg. 3 block #32 and applicant admitted prior art AAPA, pg. 2 block 7); wherein the processor is adapted to store a configuration (pg. 3 block #35 and fig. 2 item #106 and AAPA pg. 2 block 7); wherein the processor is adapted to store a list of other imaging devices in data depository (fig. 2 item #106 and fig. 4); and wherein processor is adapted to transmit the configuration through the embedded webserver addresses to at least one of the other imaging devices of the stored list (fig. 3 item #306, 308 and pg. 3 block #36), however Schlonski does not explicitly disclose a device with a computer-usable media coupled to the processor.

Carcerano, from the same field of endeavor explicitly discloses an imaging device comprising a processor for communication with a network using an embedded webserver and a computer-usable media coupled to the processor (fig. 4 item #91, 93, 95). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Carcerano as stated above with Schlonski in order to provide a computer-usable media coupled to the processor. One of ordinary skilled in the art would have been motivated because all of the networked devices are generally includes a processor and a computer-readable media (AAPA, pg. 2 block #7) and further as to provide storage to processor during execution of software applications (Carcerano, col. 8 L12-14).

As per claim 2, Schlonski discloses the process and system for discovering the list of other imaging devices (pg. 3 block #27-28).

As per claim 3, Schlonski discloses the process for discovering other imaging devices that are similar to the imaging device (fig. 2, fig. 3 item #304 and pg. 4 item #39).

As per claim 4, Schlonski does not explicitly disclose the process wherein the embedded webserver is a function of the processor in response to computer-readable instructions stored on the computer-usable media. Carcerano discloses the process wherein the processor loads process steps from a computer-readable medium into main memory and the processor then executes the stored process steps from main memory in order to execute application programs such as an HTTP server (read as processor executing an embedded webserver application in response to computer readable instructions, col. 8 L12-20). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Carcerano as stated above with Schlonski in order to execute the embedded webserver application. One of ordinary skilled in the art would have been motivated because it would have executed the application programs and/or software applications such as http server (an embedded webserver, col. 8 L14-20).

As per claim 8, Schlonski discloses the process wherein the configuration for transmission to at least one of he other imaging devices is sourced form an originating network device that is selected from the group consisting of imaging device, a local network site and a remote network site (fig. 1 and pg. 3 block #36 and fig. 4).

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Carcerano et al. (U. S. Patent No. 6,308,205 B1), and further in view of Mathieson (Pub. No.: US 2002/0143915 A1).

As per claim 7, Schlonski in view of Carcerano discloses an imaging device with embedded webserver adapted to process of imaging device upgrade command (Schlonski, fig. 4-5 and pg. 3 block #32), however, Schlonski in view of Carcerano does not explicitly disclose the commands including upgrade firmware, upgrade software, upgrade supplemental information, online, offline, restart, reset, purge job, pause job, and manage job queue.

Mathieson discloses the process of managing job queues including the process of cancel/pause job and hold jobs (pg. 1 block #15, 18). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Schlonski in view of Carcerano to provide the following commands: upgrade firmware, upgrade software, upgrade supplemental information, online, offline, restart, reset, purge job, pause job, and manage job as this functions are well known in the art.

One of ordinary skilled in the art would have been motivated because it would have configured plurality of digital printers on a network and would have further provided a mechanism for managing print jobs by manipulating any of the jobs in the queues.

4. Claims 5-6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Carcerano et al. (U. S. Patent No. 6,308,205 B1), and further in view of Hawes (U. S. Patent No. 6,026,436).

As per claim 5, Schlonski in view of Carcerano does not explicitly disclose the process wherein the embedded webserver is adapted to process an upload of configuration selected from

the group consisting of configuration parameters, configuration parameters with a mask, firmware, software, supplemental information, configuration parameters from a network site, configuration parameters with a mask from a network site, firmware from a network site, software from a network site, supplemental information from a network site. Hawes discloses the system wherein the properties form (read as configuration form) is posted to the device (uploaded, col. 9 L4-17) and embedded webserver of the destination device processes an upload of configuration and/or sets the relevant properties, with the http service (col. 9 L18-29 and fig. 5-7 and fig. 4 item #102: read as network site). Hawes further teaches that many more configuration values than those shown in form of fig. 6-7 may be provided (col. 8 L58-64). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Hawes and combine with Schlonski and Carcerano in order to process an upload of configuration data. One of ordinary skilled in the art would have been motivated so that the other network devices would have been configured in a most efficient and timely manner by copying the configuration and/or settings from one device to another.

As per claim 6, Schlonski in view of Carcerano does not explicitly disclose the process wherein the embedded webserver is adapted to download information from the group consisting of configuration parameters, configuration parameters with a mask, firmware, software, supplemental information, configuration parameters from a network site, configuration parameters with a mask from a network site, firmware from a network site, software from a network site, supplemental information from a network site. Hawes discloses the system wherein the embedded server is adapted to download information from a network site (fig. 4, fig. 6-7, col. 8 L30-58 and col. 9 L18-20). Therefore, it would have been obvious to a person of ordinary

skilled in the art at the time the invention was made to modify Hawes and combine with Schlonski and Carcerano in order to download information. One of ordinary skilled in the art would have been motivated because of the same reasons as set forth in claim 5.

As per claim 10, Schlonski in view of Carcerano does not explicitly disclose the process of transmitting configuration to at least one other imaging device via a protocol that is selected from the group consisting http protocol, https protocol, printer mark-up language and a compatible imaging device communication protocol. Hawes, from the same field of endeavor discloses the process of sending configuration to other imaging device via http or https, SNMP (col. 7 L37-39) and Hawes further teaches that any other type of communication protocol could provide getting/setting functionality of servers (col. 8 L3-30 and fig. 4). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Hawes with Schlonski and Carcerano in order to send configuration via a compatible imaging device protocol. One of ordinary skilled in the art would have been motivated so that the plurality of network devices is configured efficiently. One of ordinary skilled in the art would have also been motivated to use http as interfaces because of the following reasons: first, development costs are lower and deployment schedules shorter since the mechanism can be used by many clients without the necessity of writing the client display software (often referred to as "user interface" or UI) for each operating system and processor that clients use. Second, it is straightforward to define multi-lingual interfaces by storing the information in multiple languages on the server, permitting the server to be accessed in multiple languages by different clients concurrently. Third, upgrades or changes can be made to the print or document processing machine's capabilities without the inconvenience of the vendor developing new client

display software and of the client having to install new software on every client computer for each such upgrade (Hawes, col. 3 L16-34).

As per claim 9, it does not teach or further define over the limitations in claims 5-6 and 10. Therefore, claim 9 is rejected for the same reasons as set forth in claims 5-6 and 10.

5. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being obvious over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Hawes (U. S. Patent No. 6,026,436).

As per claim 17-18, they recite the same limitations as in claims 5 and claim 7. Therefore, claims 17-18 are rejected for the same reasons as set forth in claims 5 and 7.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being obvious over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Mixer, Jr. (hereinafter Mixer, U. S. Patent No. 6,693,722 B1).

As per claim 14, Schlonski does not explicitly disclose the process of translating the configuration change to a printer protocol compatible with other imaging device prior to communicating the configuration change to that other imaging device.

Mixer, from the same field of endeavor discloses the process of converting the data stream (read as configuration data) from a protocol native to the device to the protocol compatible with the device (col. 1 L38-58). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Mixer as stated above with Schlonski in order to translate the configuration data to a printer compatible protocol data prior to communicating the configuration to the other device.

One of ordinary skilled in the art would have been motivated because it would have enabled the communications between network devices with different standards and protocols (Mixer, col. 1 L15-58).

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Barrett et al., U. S. Patent No. 5,323,393.

b. Webb et al., Pub. No.: US 2002/0083342 A1.

c. Levac et al., U. S. Patent No. 5,872,926.

d. Chiles et al., U. S. Patent No. 6,167,567.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on 10.00am-6.30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 20, 2005.

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER